

Nargis Niaz

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Case No.: **C 07-4030 MMC**

Plaintiff,

Michael Chertoff, Secretary of the Department
of Homeland Security;
Condoleezza Rice, Secretary of State.

**STIPULATION TO VACATE
HEARING ON MOTIONS;
[PROPOSED] ORDER**

Defendants.

The Plaintiff, by and through her attorney of record, and Defendants, by the through their attorneys of record, hereby stipulate, subject to the approval of the Court, to the following:

1. The parties agree that the matter at issue in the instant action may be resolved through cross motions for summary judgment.

2. The parties jointly request that the Court take the motions currently set for hearing on November 16, 2007 under submission without oral argument.

Dated: November 7, 2007

Respectfully submitted,

/s/

JUSTIN X. WANG
Attorney for Plaintiff

SCOTT N. SCHOOLS
United States Attorney

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3 Dated: November 7, 2007

/s/
MELANIE L. PROCTOR
Assistant U.S. Attorney
Attorney for Defendants

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7 **ORDER**

8 Pursuant to the stipulation, the November 16, 2007 hearing and case management
9 conference is VACATED.

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11 DATED: _____

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MAXINE M. CHESNEY
United States District Judge
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